## AUG 1 1 2006 WE STATES PATENT'AND TRADEMARK OFFICE

Application No.

10/532,991

Confirmation

No.

: 2959

First Named Inventor

Mitsuhiro YUASA

Filed

April 28, 2005

TC/A.U.

: 2812

Examiner

: Mohsen AHMADI

Docket No.

101249.56268US

Customer No.

: 23911

Title

Process Monitor and System for Producing Semiconductor

## SECOND INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R § \$ 1.97 AND 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists one document which the Examiner may deem relevant to patentability of the claims of the above-identified application.

## I. Time Period of Submission

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date
or 2) before the mailing date of the first Office Action on the merits (whichever is
later) or 3) before a first Office Action after the filing of a Request for Continued
Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under
37 C.F.R.§ 1.17(p) is required.
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2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (Ex parte Quayle), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

a Statement under	37 C.F.R.	§ 1.97(e); or
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a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

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3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:
a Statement under 37 C.F.R. § 1.97(e); and
a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).
II. Statement Under 37 C.F.R. § 1.97(e)
☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or
III. Statement under 37 C.F.R. § 1.704(d)  I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.
IV. Submission of Non-English Language Documents
☐ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:
The relevance of document(s) to the subject matter of the present invention is/are provided in the specification of the above-identified application.
Corresponding foreign or international report(s) citing document(s), together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.
English language family member publication(s) of document(s) AB is/are noted on Form PTO-1449.

AB.		$\boxtimes$	English lang	guage abstra	ct(s) is/a	are submitted	for document(s)
	is/	are sul	English tran		f the fo	oreign langua	ge document(s)
			Applicant	submits	the	following	explanations:
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since	they v	37 C.I vere pr	F.R. §1.98(d),	copies of th nitted to or c	e docun	nents are not the United Sta	being provided ates Patent and
that							s an admission

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 101249.56268US, for the fee set forth in 37 C.F.R. § 1.17(p).

August 11, 2006

Respectfully submitted,

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JDS/MWR:elew (2825982)

PTO/SB/08a (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Under the Papen 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO **Application Number** 10/532,991 INFORMATION DISCLOSURE Filing Date April 28, 2005 STATEMENT BY APPLICANT First Named Inventor Mitsuhiro YUASA Art Unit 2812 **Examiner Name** Mohsen AHMADI (use as many sheets as necessary)

Attorney Docket Number

			U.S. PATENT I	DOCUMENTS	
Examiner Initials'	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	AA	US- 6,773,158	<u> </u>		Figures Appear
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FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁰
	AB	JP2001-242014	09-07-2001	Tokyo Electron Ltd.	See Citation No. AA	
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Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible, 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.